

S.B. CIVIL MISC. APPEAL NO. 126/2000

Date : 07.03.2006

HON'BLE MR. BHAGWATI PRASAD, J.

Mr. Ravi Bhansali for the appellant.

Mr. B.S. Bhati for the respondents.

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Heard.

This case is for enhancement of the award. Learned Tribunal while considering the case of the fracture has not dealt with the matter in detail. It has not noticed as to what bone has been fractured. From the record, it is found that it is the fracture of femur bone which has resulted into lesser movement of leg. As and when a fracture of femur takes place, many postural problems occur to the injured apart from pain which occurs periodically and occasionally. The Tribunal has awarded Rs.10,000/- for the fracture which appears to be grossly insufficient because with the fractured femur, a man becomes psychologically weak. Every time when he has to do something strong, it will occur to him that he has a limb which is on the weaker side. The award of Rs.10,000/- for fracture of such a major bone in the facts and circumstances of the case, appears to be grossly insufficient. The same is enhanced to Rs.50,000/-. Rest of the award is maintained as it is.

The Tribunal will frame the award with the increased amount as indicated above. The appeal is disposed of.

(BHAGWATI PRASAD, J.

bjsh